

Nov. 28, 1945

at his request, on terms and conditions as provided herein. In the case of special tooling, if such subcontractor or sublessee shall state in writing that he does not desire to acquire the property, the contractor holding the covering facilities contract may be permitted to retain the property under a negotiated sale or under a lease for a period of not more than one year. Sale prices and rentals shall be determined on a basis that is fair and reasonable, taking into consideration the limited sale value of the property and its special value to the purchaser or lessee. The owning agency may request the advice and assistance of the Reconstruction Finance Corporation in determining acceptable sale prices and rentals.

§ 8306.10 Options. All sales by owning agencies of plant equipment to contractors shall be made in accordance with the provisions hereof, except sales made in accordance with the terms, conditions, and price provisions as stipulated in any valid option, and except sales for war production purposes. Any contractor purchasing plant equipment in accordance with the provisions hereof shall waive any purchase option, right of refusal, or similar privilege which he may have under the same facilities contract. Owning agencies are, however, authorized to make exceptions to meet unusual cases, but in each instance where an exception is made they shall maintain adequate records which shall be available to the Administrator upon request. No such exception shall be made unless it is approved by an internal board of review.

§ 8306.11 Disposals under laws other than the Surplus Property Act. Disposals of plant equipment as defined herein shall not be made under laws other than the Surplus Property Act of 1944 but shall be made only in strict accordance with the provisions of this part unless the Administrator upon written application by the owning agency shall consent in writing to a different procedure.

§ 8306.12 Records and reports. Owning and disposal agencies shall prepare and maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of the act. Reports shall be prepared and filed with the Surplus Property Administrator in such manner as may be specified by order issued under this part subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 8306.13 Regulations by owning agencies to be reported to the Administrator. Each owning agency shall file with the Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

This revision of this part shall become effective November 16, 1945.

W. STUART SYMINGTON,
Administrator.

NOVEMBER 16, 1945.

[F. R. Doc. 45-21390; Filed, Nov. 27, 1945;
11:48 a. m.]

[SPA Reg. 8, Order 1]

PART 8306—SALE OF GOVERNMENT-OWNED PLANT EQUIPMENT IN CONTRACTORS' PLANTS

EMERGENCY PLANT FACILITIES CONTRACTS

Surplus Property Board Regulation 6, Order 1, June 16, 1945 (10 F.R. 7579) is hereby revised and amended as herein set forth as Surplus Property Administration Regulation 6, Order 1.

A considerable number of war plants have been constructed or equipped by contractors under a type of contract known as the Emergency Plant Facilities Contract. Under this type of contract, the expense of construction or equipment is initially borne by the contractor, and the Government reimburses him for the expense by monthly payments over a specified period (usually five years). Title does not pass to the Government until full reimbursement has been made. It is usually provided in these contracts that reimbursement may be accelerated at the option of the Government.

The question has been raised whether and to what extent Emergency Plant Facilities Contracts are covered by this part. Since the plant equipment under Emergency Plant Facilities Contracts becomes Government-owned on completion of the payments, such equipment should be subject to disposal in the manner specified in this part, except in cases where the contract includes the land on which buildings or other facilities are erected. In this latter type of case, the entire project from the land up will be owned by the Government on completion of the payments. Plants of this kind are excluded from this part (§ 8306.1 (b) (3)).

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765, 50 U.S.C. App. Sup. 1611) and Public Law 181, 79th Congress; *It is hereby ordered, That:*

1. This order shall apply to Emergency Plant Facilities Contracts under which (a) the expense of construction or equipment is initially borne by the contractor; (b) the Government reimburses him for the expense by monthly payments over a specified period; (c) title does not pass to the Government until full reimbursement has been made; and (d) reimbursement may be accelerated at the option of the Government.

2. Plant equipment which is subject to an Emergency Plant Facilities Contract having the characteristics described above is included within the provisions of this part in all cases except those where on completion of the payments by the Government, the Government will own, or have a leasehold interest in, land on which buildings or other facilities have been constructed or installed pursuant to the contract.

This order shall become effective November 16, 1945.

W. STUART SYMINGTON,
Administrator.

NOVEMBER 16, 1945.

[F. R. Doc. 45-21391; Filed, Nov. 27, 1945;
11:48 a. m.]

[SPA Reg. 8, Order 8]

PART 8306—SALE OF GOVERNMENT-OWNED PLANT EQUIPMENT IN CONTRACTORS' PLANTS

WAIVER OF REQUIREMENT FOR SUBMISSION OF INVENTORY ON NOVEMBER 1, 1945

Surplus Property Board Regulation 6, Order 3, September 26, 1945 (10 F.R. 12408), is hereby revised and amended as herein set forth as Surplus Property Administration Regulation 6, Order 3.

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765, 50 U.S.C. App. Sup. 1611) and Public Law 181, 79th Congress, and in accordance with § 8306.13; *It is hereby ordered, That:*

The requirements of Order 2 under Part 8306, entitled "Forms for Reporting Inventories and Sales" that owning agencies submit to the Reconstruction Finance Corporation on or before November 1, 1945, a report as of September 30, 1945 of their inventories of government-owned plant equipment costing \$350 or more and that the Reconstruction Finance Corporation submit summaries of such reports to the Surplus Property Administrator, are hereby waived.

This order shall become effective November 16, 1945.

W. STUART SYMINGTON,
Administrator.

NOVEMBER 16, 1945.

[F. R. Doc. 45-21392; Filed, Nov. 27, 1945;
11:48 a. m.]

TITLE 37—PATENTS AND COPYRIGHTS

Chapter II—Copyright Office,
Library of Congress

PART 201—REGISTRATION OF CLAIMS TO COPYRIGHT

MUSICAL WORKS

The Code of Federal Regulations of the Copyright Office, § 201.4 (b) (5) is amended by adding at the end of the last paragraph the following:

Renewal copyright registration of a musical work will be made when the application for the original registration used the word "editing" or some similar term to describe the copyrightable matter.

SAM B. WARNER,
Register of Copyrights.

Approved: November 15, 1945.

VERNER W. CLAPP,
Acting Librarian of Congress.

[F. R. Doc. 45-21394; Filed, Nov. 27, 1945;
10:08 a. m.]

*Order 2 will be filed to appear in a subsequent issue.